THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 17179 of 2004

Date:13-08-2007

Between:

M/s. SGF Jivavat & Co. HPC Dealers, Perikeedu

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PETITIONER

AND

The Hindustan Petroleum Corporation Ltd., Visakhapatnam represented by its Senior Regional Manager

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RESPONDENT

ORDER:

The petitioner seeks to issue a writ of mandamus to declare the letter bearing No. Ref:VRO/DPC/RET, dated 14.09.2004 issued by the respondent to the petitioner, as illegal and arbitrary.

The petitioner is the retail outlet dealer of the respondent. He questions the impugned order suspending the sales and supply of all petroleum products for a period of
30 days apart from payment of penalty of Rs.20,000/-.

It is stated that insofar as the penalty is concerned, pursuant to the interim direction of this Court, the petitioner has already been paid the penalty amount.

The learned counsel for the petitioner submits that the petitioner is of desirous to make a representation before the respondent to take a lenient view about the suspension period of 30 days.

In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, the writ petition is disposed of giving liberty to the petitioner to make an appropriate representation before the concerned authorities and if any such representation is made, the same may be considered and disposed of in accordance with law. The interim suspension granted by this Court on 22.09.2004 is hereby vacated. No costs.

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V.ESWARAIAH, J.

Date:13.08.2007.
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